



# City of NORFOLK

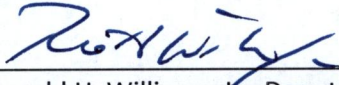
C: Dir., Department of City Planning

To the Honorable Council  
City of Norfolk, Virginia

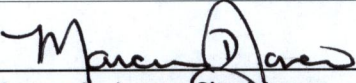
April 14, 2015

From: George M. Homewood, AICP, CFM, Planning Director

Subject: **Special Exception to operate an Entertainment Establishment at 600 35<sup>th</sup> Street– Croaker's Spot**

Reviewed:   
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/7

Approved:   
Marcus D. Jones, City Manager

Item Number: R-6

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of 6 to 0, the Planning Commission recommends **Approval**.
- III. **Request:** Special Exception to operate an Entertainment Establishment
- IV. **Applicant:** Croaker's Spot
- V. **Description**
  - In 2014 the properties located at 601-609 36<sup>th</sup> Street and property located on the northwest corner of 35<sup>th</sup> Street and Newport Avenue were rezoned to allow the development of 58 dwelling units and an entertainment establishment.
  - This request is for the operation of an entertainment establishment in the existing building located at 601-609 35<sup>th</sup> Street which is located on the northwest corner of 35<sup>th</sup> Street and Newport Avenue.

	Proposed
Hours of Operation, Hours for the Sale of Alcoholic Beverages and Entertainment	10:00 a.m. until 12:00 midnight, Monday through Thursday 10:00 a.m. until 2:00 a.m., Friday and Saturday 10:00 p.m. until 9:00 p.m. on Sunday
Entertainment	3 member live band Karaoke Comedian Poetry reading
Capacity	<ul style="list-style-type: none"><li>• 124 seats indoors</li><li>• 10 seats outdoors</li><li>• 164 total capacity</li></ul>

Staff point of contact: Susan Pollock at 664-4765, [susan.pollock@norfolk.gov](mailto:susan.pollock@norfolk.gov)

**Attachments:**

- Staff Report to CPC dated March 26, 2015 with attachments
- Ordinance



# City of NORFOLK

## Planning Commission Public Hearing: March 26, 2015

Executive Secretary: George M. Homewood, AICP, CFM *GH*

Staff: Susan Pollock Hart, CFM *SPH*

Staff Report		Item No.:
		14
Address	600 35 <sup>th</sup> Street	
Applicant	Croaker's Spot	
Request	Special Exception	Entertainment Establishment
Property Owner	City of Norfolk	
Site Characteristics	Site Area	8,687 sq. ft.
	Zoning	C-2 (Corridor Commercial) PCO-35th (Pedestrian Commercial Overlay District – 35 <sup>th</sup> Street)
	Neighborhood	Park Place
	Character District	Traditional
Surrounding Area	North	C-2 & PCO-35 <sup>th</sup> Street: Vacant
	East	C-2 & PCO-35 <sup>th</sup> Street: Alpha Medical Academy
	South	C-2 & PCO-35 <sup>th</sup> Street: Parking lot
	West	C-2 & PCO-35 <sup>th</sup> Street: Shabazz Fashions, Office



### A. Summary of Request

- In 2014 the properties located at 601-609 36<sup>th</sup> Street and property located on the northwest corner of 35<sup>th</sup> Street and Newport Avenue were rezoned to allow the development of 58 dwelling units and an entertainment establishment.
- This request is for the operation of an entertainment establishment in the existing building located at 601-609 35<sup>th</sup> Street which is located on the northwest corner of 35<sup>th</sup> Street and Newport Avenue.

### B. Plan Consistency

The proposed special exception is consistent with *plaNorfolk2030*, which designates this site as commercial.

### C. Zoning Analysis

#### i. General

The use is permitted in the C-2 and PCO-35th Street districts by special exception. The site is surrounded by a mix of commercial, residential and institutional uses.

	Proposed
Hours of Operation, Hours for the Sale of Alcoholic Beverages and Entertainment	10:00 a.m. until 12:00 midnight, Monday through Thursday 10:00 a.m. until 2:00 a.m., Friday and Saturday 10:00 p.m. until 9:00 p.m. on Sunday
Entertainment	3 member live band Karaoke Comedian Poetry reading
Capacity	<ul style="list-style-type: none"><li>• 124 seats indoors</li><li>• 10 seats outdoors</li><li>• 164 total capacity</li></ul>

#### ii. Parking

- The 35<sup>th</sup> Street PCO does not require parking for freestanding Entertainment Establishments with less than 4,500 square feet.
  - This establishment is 4,400 square feet.
- There is available on-street parking.

#### iii. Flood Zone

The property is located in the X and X Shaded Flood Zones, which are low risk flood zones.

### D. Transportation Impacts

- Institute of Transportation Engineers figures estimate that this restaurant will generate 599 new vehicle trips per day.

- 35<sup>th</sup> Street in the area of Newport Avenue is not identified as severely congested corridor in the current update to regional Hampton Roads Congestion Management analysis.
- The site is near transit service with Hampton Roads Transit bus routes 11 (Newport) operating adjacent to the site.

**E. Impact on the Environment**

The establishment is located in a commercial district which encourages such uses.

**F. Impact on Surrounding Area/Site**

- The existing building was the commercial component of the Newport Theater which, prior to its demolition, abutted the building to the north.
- The building is listed as a contributing structure on both the state and national Historic Register.
- The applicant has been approved for both Norfolk tax abatement and the state and national historic tax credits.

**G. Payment of Taxes**

The owner of the property is current on all real estate taxes.

**H. Civic League**

The application was sent to the Park Place Civic League and the Park Place Business Association on March 4.

**I. Communication Outreach/Notification**

- Legal notice was posted on the property on February 20.
- Letters were mailed to all property owners within 300 feet of the property on March 12.
- Legal notification was placed in *The Virginian-Pilot* on March 12 and 19.

**J. Recommendation**

Staff recommends that the special exception request be **approved** subject to the conditions shown below:

- (a) The hours of operation for the establishment, for the sale of alcoholic beverages, and for entertainment shall be from 10:00 a.m. until 12:00 midnight, Monday through Thursday, 10:00 a.m. until 2:00 a.m. Friday and Saturday and from 10:00 a.m. until 9:00 p.m. on Sunday. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (b) The seating for the establishment shall not exceed 124 seats indoors, 10 seats outdoors, and the total occupant capacity, including employees,

shall not exceed 164 people. The use authorized by this special exception shall not commence until a certificate of occupancy reflecting these limits has been issued by the Department of City Planning

- (c) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.
- (d) Entertainment shall be limited to live bands having no more than 3 members, karaoke, comedian or poetry reading. No other form of entertainment is permitted.
- (e) There shall be no dancing and no dance floor provided.
- (f) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B."
- (g) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (h) The establishment shall maintain a current, active business license at all times while in operation.
- (i) The establishment shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.
- (j) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.
- (k) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way

improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.

- (l) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.
- (m) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.
- (n) The business authorized by this special exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this special exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new special exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (o) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this special exception. This special exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (p) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (q) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on

the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.

- (r) In addition to the ABC manager or supervisor the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (s) The establishment manager shall notify the Commissioner of the Revenue no less than 72 hours prior to the commencement of any event at which a cover charge is to be collected.
- (t) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:
  - (1) This special exception;
  - (2) Any ABC license(s);
  - (3) Any occupancy permit(s);
  - (4) Certifications of all persons who work on the premises as a security guard;
  - (5) All fire code certifications, including alarm and sprinkler inspection records;
  - (6) Any health department permit(s);
  - (7) The emergency action plan required under the Fire Prevention Code;
  - (8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;
  - (9) The establishment's designated driver program; and
  - (10) The establishment's Security Plan.
- (u) The business shall provide in-house security or retain the services of a

licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 123 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshal, Chief of Police, or any designee of either. After 8:00 p. m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.

- (v) The written security plan submitted to the City as part of the application for this special exception and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.

**Attachments:**

Location Map


Zoning Map

1000' radii map of similar ABC establishments

Application

Site Plan

Form and Correctness Approved: 

By   
Office of the City Attorney

Contents Approved: 

By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION AUTHORIZING THE OPERATION OF AN ENTERTAINMENT ESTABLISHMENT KNOWN AS "CROAKER'S SPOT" ON PROPERTY LOCATED AT 600 35<sup>TH</sup> Street.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to Norfolk Croakers, LLC authorizing the operation of an entertainment establishment named "Croaker's Spot" on property located at 600 35<sup>th</sup> Street. The property which is the subject of this Special Exception is more fully described as follows:

Property fronting 113 feet, more or less, along the northern line of 35<sup>th</sup> Street and 67 feet, more or less, along the western line of Newport Avenue; premises numbered 600 35<sup>th</sup> Street.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the establishment, for the sale of alcoholic beverages, and for entertainment shall be limited to 10:00 a.m. until 12:00 midnight Monday through Thursday, from 10:00 a.m. until 2:00 a.m. the following morning on Friday and Saturday, and from 10:00 a.m. until 9:00 p.m. on Sunday. No use of the facility outside of the hours of operation listed herein shall be permitted.
- (b) The seating for the establishment shall not exceed 124 seats indoors, 10 seats outdoors, and the total occupant capacity, including employees, shall not exceed 164 people. The use authorized by this special exception shall not commence until a certificate of occupancy reflecting these limits has been issued by the Department of Planning.

- (c) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.
- (d) Entertainment shall limited to live bands having no more than three (3) members, karaoke, comedian or poetry reading. No other form of entertainment is permitted.
- (e) There shall be no dancing and no dance floor provided.
- (f) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B".
- (g) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (h) The establishment shall maintain a current, active business license at all times while in operation.
- (i) The establishment shall remain current on all food and beverages taxes and other local taxes which may become due while it is in operation.
- (j) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.

- (k) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (l) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.
- (m) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.
- (n) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (o) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed

by the ABC Commission or by Virginia law.

- (p) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (q) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (r) In addition to the ABC manager or supervisor, the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (s) The establishment manager shall notify the Commissioner of the Revenue no less than 72 hours prior to the commencement of any event at which a cover charge is to be collected.
- (t) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:
  - (1) This Special Exception;
  - (2) Any ABC license(s);
  - (3) Any occupancy permit(s);
  - (4) Certifications of all persons who work on the premises as a security guard;

- (5) All fire code certifications, including alarm and sprinkler inspection records;
  - (6) Any health department permits;
  - (7) The emergency action plan required under the Fire Prevention Code;
  - (8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;
  - (9) The establishment's designated driver program; and
  - (10) The establishment's Security Plan.
- (u) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 123 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshall, Chief of Police, or any designee of either. After 8:00 p. m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.
  - (v) The written security plan submitted to the City as part of the application for this Special Exception and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific

purposes for which this ordinance was enacted and for which the regulations of the district in question were established;

- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;

(j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and

(k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENTS:

Exhibit A (4 pages)

Exhibit B (1 page)



EXHIBIT "A"  
Description of Operations  
Entertainment Establishment  
(Please Print)

Date 1/28/2014

Trade name of business CROAKERS SPOT

Address of business 600 WEST 35th ST, NORFOLK VA

Name(s) of business owner(s)\* BEVERLY McDONALD

Name(s) of property owner(s)\* Newport Plaza, LP

Name(s) of business manager(s)/operator(s) ALFREDO ROBERTS  
BEVERLY McDONALD

Daytime telephone number (347) 930-7095

\*If business or property owner is a partnership, all partners must be listed.

\*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility	Alcoholic Beverage Sales and Entertainment
Weekday From <u>10AM</u> To <u>12AM</u>	Weekday From <u>10AM</u> To <u>12AM</u>
Friday From <u>10AM</u> To <u>2AM</u>	Friday From <u>10AM</u> To <u>2AM</u>
Saturday From <u>10AM</u> To <u>2AM</u>	Saturday From <u>10AM</u> To <u>2AM</u>
Sunday From <u>10AM</u> To <u>9PM</u>	Sunday From <u>10AM</u> To <u>9PM</u>

2. Type of ABC license applied for (check all applicable boxes):

☒ On-Premises ☐ Off-Premises (second application required)

3. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☒ Mixed Beverage

DEPARTMENT OF CITY PLANNING  
810 Union Street, Room 508  
Norfolk, Virginia 23510  
Telephone (757) 664-4752 Fax (757) 441-1569  
(Revised December, 2014)

**Exhibit A – Page 2**  
**Entertainment Establishment**

4. Will video games, pool tables, game boards or other types of games be provided?  
☐ Yes (If more than 4, additional application required) ☒ No

4a If yes, please describe type and number of each game to be provided:

N/A

5. Will patrons ever be charged to enter the establishment?  
☒ Yes ☒ No

5a. If yes, why:

N/A

5b. Which days of the week will there be a cover charge (circle all applicable days):

Monday Tuesday Wednesday Thursday Friday  
Saturday Sunday

6. Will the facility or a portion of the facility be available for private parties?  
☒ Yes ☐ No

6a. If yes, explain:

PROVIDE SERVICE FOR SOCIAL COMMUNITY  
EVENTS, I.e. CHURCH FUNCTIONS, HOLIDAY AFFAIRS ETC.

7. Will a third party (promoter) be permitted to lease, let or use the establishment?  
☐ Yes ☒ No

7a. If yes, explain:

N/A

8. Will there ever be a minimum age limit?  
☒ Yes ☐ No

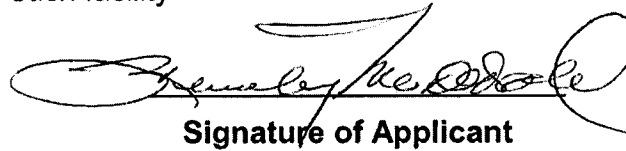
**Exhibit A – Page 3**  
**Entertainment Establishment**

9. Additional comments/description/operational characteristics or prior experience:

N/A

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Note: If smoking is permitted, then floor plans must be submitted showing all necessary building requirements for such facility

  
**Signature of Applicant**

## Exhibit A – Floor Plan(s) Worksheet Entertainment Establishment

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
  - Tables/seats
  - Restroom facilities
  - Bar
  - Ingress and egress
  - Standing room
  - Disc Jockey/Band/Entertainment area)
  - Outdoor seating
  - Total maximum capacity (including employees)

### 1. Total capacity

#### a. Indoor

Number of seats (not including bar seats)  
Number of bar seats  
Standing room

112  
12  
~~10~~ N/A

#### b. Outdoor

Number of seats

10

#### c. Number of employees

30

### Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 164

### 2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

N/A

### 3. Will a dance floor be provided?

☐ Yes ☒ No

#### 3a. If yes,

Square footage of establishment \_\_\_\_\_  
Square footage of dance floor \_\_\_\_\_

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

### DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised December, 2014)

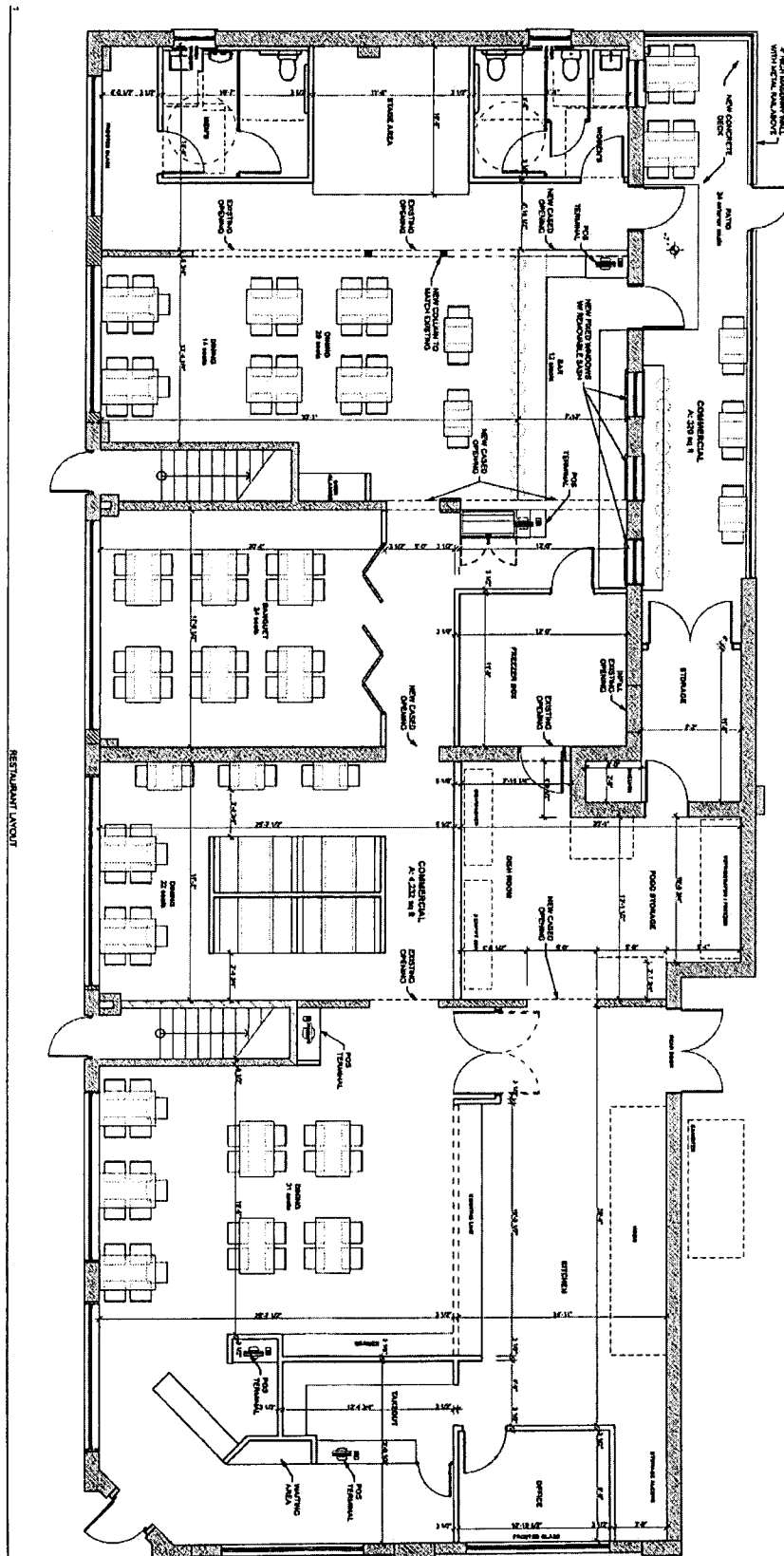
**NEWPORT PLAZA**

NEWPORT AVE AND 35TH STREET, NORFOLK, VA, USA

## FIRST FLOOR PLAN

Project #: 14.07  
date: 7/3/14

**walter PARKS**  
AFC 1111 FC



# Location Map

36TH STREET

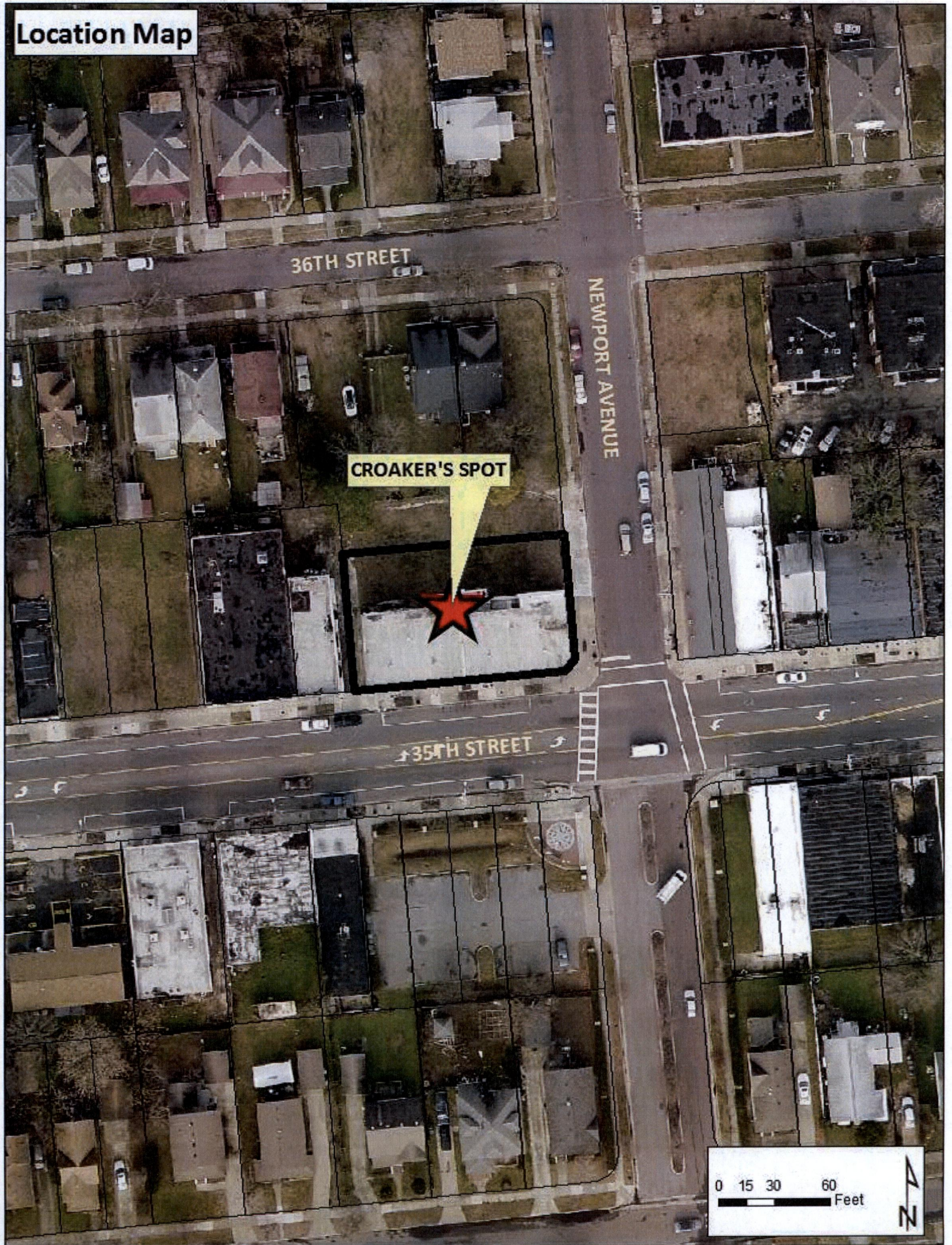
NEWPORT AVENUE

CROAKER'S SPOT

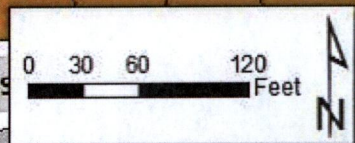
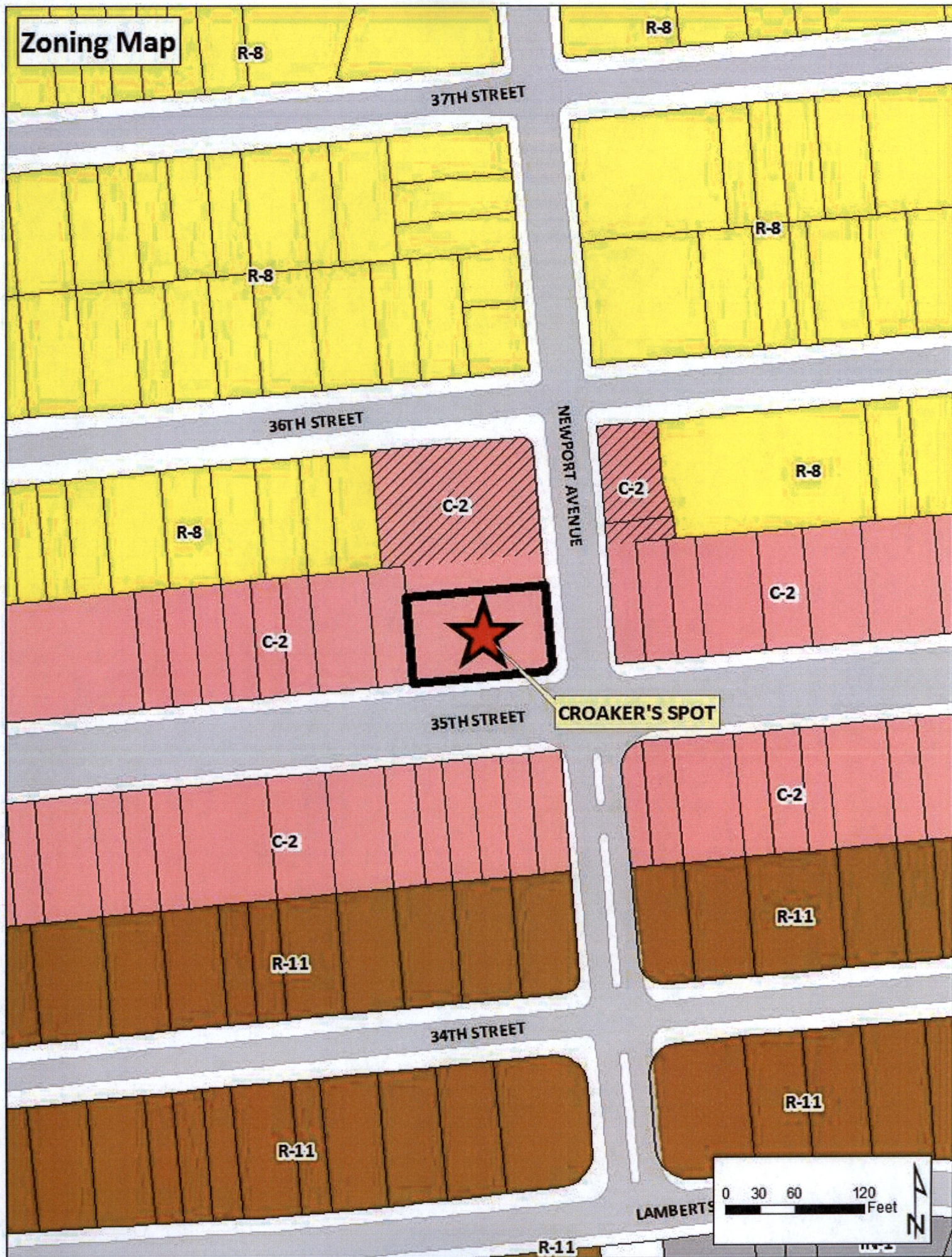
35TH STREET

0 15 30 60 Feet

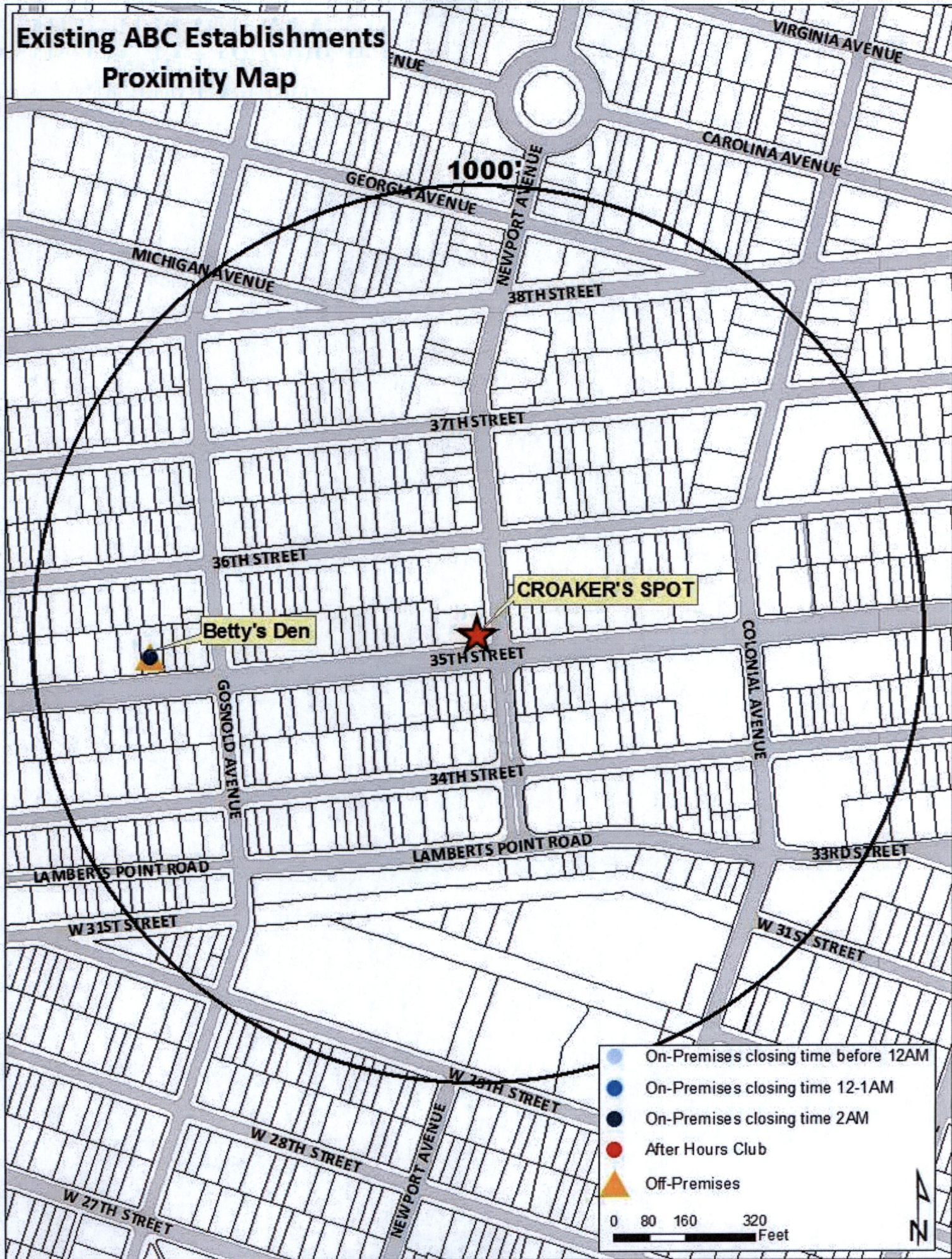
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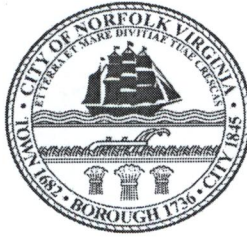
# Zoning Map



# Existing ABC Establishments Proximity Map



Need security.



**APPLICATION  
ADULT USE SPECIAL EXCEPTION  
ENTERTAINMENT ESTABLISHMENT  
(Please Print)**

Date 1/28/2015

**DESCRIPTION OF PROPERTY**

Address 600 WEST 35<sup>TH</sup> ST, NORFOLK VA

Existing Use of Property RETAIL

Proposed Use RESTAURANT / Entertainment

Current Building Square Footage 4,400 SQ FT

Proposed Building Square Footage 4,400 SQ FT

Trade Name of Business (If applicable) CROCKERS SPOT

**APPLICANT**

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) NORFOLK CROAKERS LLC (First) \_\_\_\_\_ (MI) \_\_\_\_\_

Mailing address of applicant (Street/P.O. Box): 927 HULL ST

(City) RICHMOND (State) VA (Zip Code) 23224

Daytime telephone number of applicant 847 930-7095 Fax 789-6524

E-mail address of applicant: macconglomerate@yahoo.com

**Application  
Entertainment Establishment  
Page 2**

**AUTHORIZED AGENT (if applicable)**

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) ~~HANSON~~ MCDONALD (First) KEVIN BEVERLY (MI) \_\_\_\_\_

Mailing address of applicant (Street/P.O. Box): 927 HULL ST,

(City) RICHMOND (State) VA (Zip Code) 23224

Daytime telephone number of applicant 847 930 7095 Fax 718 789-6524

E-mail address of applicant: maccon@merate@uphd.com

**PROPERTY OWNER**

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) NEWPORT PLAZA LP (First) \_\_\_\_\_ (MI) \_\_\_\_\_

Mailing address of property owner (Street/P.O. box): 927 HULL ST

(City) RICHMOND (State) VA (Zip Code) 23224

Daytime telephone number of owner 804 325-3795 EX 15 email: KGH@THEHANSONCO.COM  
KGH@THEHANSONCO.COM

**CIVIC LEAGUE INFORMATION**

Civic League contact: VERNON FAREED PARK DAKE BUSINESS ASS.

Date(s) contacted: 10/5/14

Ward/Super Ward information: WARD 2 / SUPER WARD 7

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**REQUIRED ATTACHMENTS**

- Required application fee, **\$355.00** (if check, make payable to Norfolk City Treasurer).
  - Application fee includes a non-refundable \$5 technology surcharge.
- One 8½ x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
  - Existing and proposed building structures
  - Driveways
  - Parking
  - Landscaping
  - Property lines (see attached example)
- One 8 ½ x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.
- One 8½ inch x 11 inch copy of a floor plan prepared by a registered design professional drawn to scale showing restroom facilities, seats/tables, bar, dance floor with dimensions, band area, disc jockey area, standing room and ingress and egress (see attached example).
- Completed Exhibit A, Description of Operations (attached).

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**CERTIFICATION**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Kelvin Hansen Sign: Kelvin Hansen 11/28/15  
(Property Owner or Authorized Agent of Signature) (Date)

Print name: Beverly McDonald Sign: Beverly McDonald 11/28/15  
(Applicant) (Date)

**ONLY NEEDED IF APPLICABLE:**

Print name: Kelvin Hansen Sign: Kelvin Hansen 11/28/2015  
(Authorized Agent Signature) (Date)

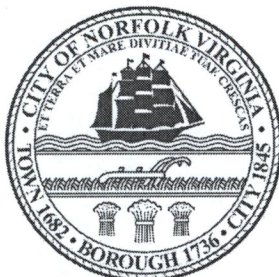


EXHIBIT "A"  
Description of Operations  
Entertainment Establishment  
(Please Print)

Date 1/28/2014

Trade name of business CROAKERS SPOT

Address of business 600 WEST 35th ST, NORFOLK VA

Name(s) of business owner(s)\* BEVERLY McDONALD

Name(s) of property owner(s)\* Newport Plaza, LP

Name(s) of business manager(s)/operator(s) ALFREDO ROBERTS  
BEVERLY McDONALD

Daytime telephone number (347) 930-7095

\*If business or property owner is a partnership, all partners must be listed.

\*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility	Alcoholic Beverage Sales and Entertainment
Weekday From <u>10AM</u> To <u>12AM</u>	Weekday From <u>10AM</u> To <u>12AM</u>
Friday From <u>10AM</u> To <u>2AM</u>	Friday From <u>10AM</u> To <u>2AM</u>
Saturday From <u>10AM</u> To <u>2AM</u>	Saturday From <u>10AM</u> To <u>2AM</u>
Sunday From <u>10AM</u> To <u>9PM</u>	Sunday From <u>10AM</u> To <u>9PM</u>

2. Type of ABC license applied for (check all applicable boxes):

☒ On-Premises ☐ Off-Premises (second application required)

3. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☒ Mixed Beverage

**Exhibit A – Page 2**  
**Entertainment Establishment**

4. Will video games, pool tables, game boards or other types of games be provided?  
☐ Yes (If more than 4, additional application required) ☒ No

4a If yes, please describe type and number of each game to be provided:

N/A

5. Will patrons ever be charged to enter the establishment?  
☒ Yes ☒ No

5a. If yes, why:

N/A

5b. Which days of the week will there be a cover charge (circle all applicable days):

Monday Tuesday Wednesday Thursday Friday  
Saturday Sunday

6. Will the facility or a portion of the facility be available for private parties?  
☒ Yes ☐ No

6a. If yes, explain:

PROVIDE SERVICE FOR SOCIAL COMMUNITY  
EVENTS, I.e. CHURCH FUNCTIONS, HOLIDAY AFFAIRS ETC.

7. Will a third party (promoter) be permitted to lease, let or use the establishment?  
☐ Yes ☒ No

7a. If yes, explain:

N/A

8. Will there ever be a minimum age limit?  
☒ Yes ☐ No

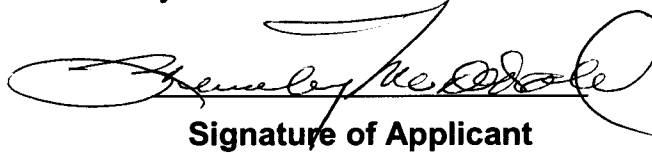
**Exhibit A – Page 3**  
**Entertainment Establishment**

9. Additional comments/description/operational characteristics or prior experience:

N/A

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Note: If smoking is permitted, then floor plans must be submitted showing all necessary building requirements for such facility



**Signature of Applicant**

## Exhibit A – Floor Plan(s) Worksheet Entertainment Establishment

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
  - Tables/seats
  - Restroom facilities
  - Bar
  - Ingress and egress
  - Standing room
  - Disc Jockey/Band/Entertainment area)
  - Outdoor seating
  - Total maximum capacity (including employees)

### 1. Total capacity

#### a. Indoor

Number of seats (not including bar seats)  
Number of bar seats  
Standing room

112  
12  
~~10~~ N/A

#### b. Outdoor

Number of seats

10

#### c. Number of employees

30

### Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 164

### 2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

N/A

### 3. Will a dance floor be provided?

☐ Yes ☒ No

#### 3a. If yes,

Square footage of establishment \_\_\_\_\_

Square footage of dance floor \_\_\_\_\_

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

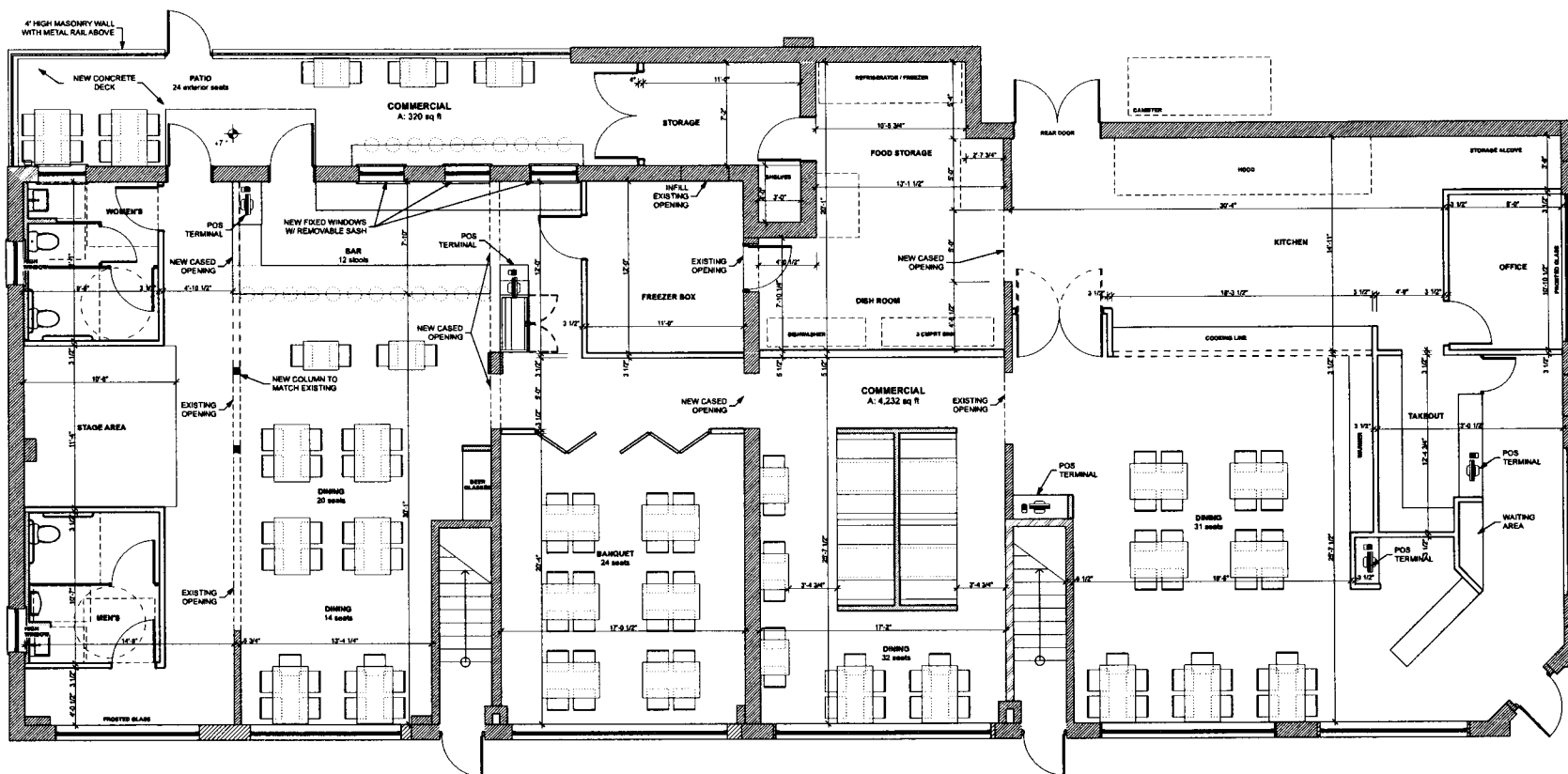
### DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised December, 2014)

**NEWPORT PLAZA**

NEWPORT AVE AND 35TH STREET, NORFOLK, VA, USA

project #: 14.07  
date: 7/3/14

## FIRST FLOOR PLAN

walterPARKS

